

REMARKS

Claims 1 – 3, 5-11 and 13-20 are presented for reconsideration and further examination in view of the foregoing amendments and following remarks.

In the outstanding Office Action, the Examiner rejected claims 6 and 14-16 under 35 U.S.C. § 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention.

The Examiner rejected claims 1, 2, 6-10, 12, 14 and 18 under 35 U.S.C. § 102(b) as being anticipated by GB Patent No. 1 214 330 to Baldwin-Ehret-Hill Inc. (hereinafter referred to as “the B-E-H Inc. ‘330 patent”), rejected claim 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,576,206 to Lauren (hereinafter referred to as “the Lauren ‘206 patent”), and rejected claims 9, 15 and 16 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,346,016 to Blau et al. (hereinafter referred to as “the Blau et al. ‘016 patent”).

The Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over the B-E-H Inc. ‘330 patent in view of U.S. Patent No. 3,824,140 to Hofman (hereinafter referred to as “the Hofman ‘140 patent”), rejected claims 3 and 11 under 35 U.S.C. § 103(a) as being unpatentable over the B-E-H Inc. ‘330 patent in view of U.S. Patent No. 5,056,564 to Roth (hereinafter referred to as “the Roth ‘564 patent”), rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over the B-E-H Inc. ‘330 patent in view of the Blau et al. ‘016 patent and rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over the B-E-H Inc. ‘330 patent in view of U.S. Patent No. 5,457,136 to Hartranft et al. (hereinafter referred to as “the Hartranft et al. ‘136 patent”).

By this Response and Amendment, claims 1, 6, 9 and 13-16 have been amended. Claims 4 and 12 have been cancelled without prejudice or disclaimer. Claims 19 and 20 are

newly presented. Claims 2-3, 5, 7-8, 10-11 and 17-18 remain unchanged. In this regard, Applicants note that the amended claims merely clarify the subject matter recited the rejected claims, but do not narrow the scope of the claims. Claim 1 has been amended to include the subject matter of claim 4. Claims 9 and 13 have been amended to include the subject matter of claim 12.

It is respectfully submitted that the above amendments do not introduce any new matter to this application within the meaning of 35 U.S.C. §132.

Claim Rejections under 35 U.S.C. § 112, second paragraph

The Examiner rejected claims 6 and 14-16 under 35 U.S.C. § 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention.

Response

Claims 6 and 14-16 have been amended and, as amended, the rejections thereto are respectfully traversed.

Specifically, Applicants have amended the claims to remove the phrases “or the like”, “such as” and “like” where appropriate, as pointed out by the Examiner. These phrases remained unchanged, in the Preliminary Amendment, from the PCT application which the instant application is the National Stage Entry filing of, as they are accepted in international practice. Applicants have removed the phrases which the Examiner objected to as rendering the claims indefinite, and added claims 19 and 20 to maintain the claimed subject matter.

Therefore, Applicants respectfully submit that the claims as amended are not indefinite, and thus, respectfully request that the Examiner reconsider and withdraw the outstanding rejections.

Claim Rejections under 35 U.S.C. § 102(b)

The Examiner rejected claims 1, 2, 6-10, 12, 14 and 18 under 35 U.S.C. § 102(b) as being anticipated by GB Patent No. 1 214 330 to Baldwin-Ehret-Hill Inc. (hereinafter referred to as “the B-E-H Inc. ‘330 patent”), rejected claim 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,576,206 to Lauren (hereinafter referred to as “the Lauren ‘206 patent”), and rejected claims 9, 15 and 16 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,346,016 to Blau et al. (hereinafter referred to as “the Blau et al. ‘016 patent”).

Response

Claims 1, 2, 6-10, 13-16 and 18 have been amended or depend upon amended claims and, as amended, the rejections thereto are respectfully traversed. Claim 12 has been cancelled and therefore the rejection is no longer applicable.

Claim 1 has been amended to include a reinforcing layer added to the trailing end of the nonwoven web. With respect to this feature, found in claim 4, rejected by the Examiner under Item 13 over the B-E-H Inc. ‘330 patent in view of the Blau et al. ‘016 patent, Applicants note that the Examiner also states that the B-E-H Inc. ‘330 patent does not disclose the features of claim 4 according to which the reinforcing layer is added to the trailing end of the nonwoven web. In this regard, he specifically refers to the Blau et al. ‘016 patent, asserting that such a feature is disclosed in column 5, lines 55-65. Applicants respectfully disagree with the Examiner, and agree that Blau et al. ‘016 patent teaches to roll a glass fiber felt on a mandrel, wherein upon completion of the first revolution an aluminum foil will be inserted between the convolutions of the fiber felt with continuing the wrapping of the foil until five complete continuous spirals of foil are formed. Afterwards, the glass

fiber felt will be further rolled by winding so as to create the pipe sleeve. This construction is shown in the figure of the Blau et al. '016 patent.

Hence, there is *no* disclosure in the Blau et al. '016 patent to add a reinforcing layer to the trailing end of the nonwoven web. In addition, the Blau et al. '016 patent does not disclose a pipe sleeve having a reinforcing layer arranged around the full circumference of the sleeve body.

Therefore, Applicants respectfully submit that the Blau et al. '016 patent fails to cure the deficiencies of the B-E-H Inc. '330 patent with respect to dependent claim 4. Therefore, as none of the cited prior art has disclosed the features of claim 4, amended claim 1, which includes the features of claim 4, is novel and unobvious and therefore patentable.

Applicants also note that the Examiner has stated under Item 5 of the Official Action that the features of claim 12 should be known by the B-E-H Inc. '330 patent. However, under correct consideration of the teaching of the cited paragraph on page 3, lines 35-40, Applicants respectfully submit that the complete teaching in this regard is that superimposed mats of different fibrous material are spirally wound into a two layer form with one layer being the outer layer and made of glass fibers, while the other layer creating the intermediate layers is made of mineral wool.

Firstly, Applicants note that no explicit teaching is given in the B-E-H Inc. '330 patent to provide a reinforcing layer at the outer circumferentially side of a sleeve body which is wound all around thereof. Moreover, no teaching is given that such outer layer may act as a trickle guard.

Additionally, Applicants note that according to this piece of art, the process starts with two mats superimposed with each other. Applicants respectfully submit that if one were to put a couple of mats onto a mandrel and wind it thereon revolution by revolution, it is clear to someone of ordinary skill in the art that, because of the different diameters acting on each of

the mats, the trailing ends thereof will not rest on the same place at the outside of the finished sleeve. In other words, the trailing end of the outer layer will rest at the sleeve body at a position where the trailing end of the inner layer is not reached. Thus, the outer layer of such construction typically does not completely surround the roll so that the second layer will be visible from the outside.

Accordingly, Applicants respectfully submit that the B-E-H Inc. '330 patent does not provide a teaching with respect to the features of dependent claim 12, nor show a structure which would be comparable to that found in claim 12. Therefore, as none of the cited prior art has disclosed the features of claim 12, amended claims 9 and 13 which incorporate the features of claim 12, are novel and unobvious, and therefore patentable.

In contrast, the present claims propose for the first time a suitable process to have a reinforcing layer completely wound circumferentially around a pipe sleeve by the method steps as given in original claim 4, now added to independent claim 1 as discussed above. This allows for the pipe sleeves according to claims 9 and 13, to be achieved.

As discussed above, with this amendment, the patentable features of claim 4 have been combined with the features of claim 1 in amended claim 1. Additionally, the patentable features of claim 12 have been combined with the features of claims 9 and 13 in amended claims 9 and 13 respectively. Applicants respectfully submit that independent claims 1, 9 and 13 are patentable over the cited prior art (the B-E-H Inc. '330 patent, the Blau et al. '016 patent and the Lauren '206 patent), an indication of which is kindly requested. Dependent claims 2 and 6-8 depend from independent claim 1 and dependent claims 10, 14-16 and 18 depend from independent claim 9. Accordingly, Applicants submit that dependent claims 2, 6-8, 10, 14-16 and 18 are patentable at least by virtue of their dependency.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

Claim Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over the B-E-H Inc. '330 patent in view of U.S. Patent No. 3,824,140 to Hofman (hereinafter referred to as "the Hofman '140 patent"), rejected claims 3 and 11 under 35 U.S.C. § 103(a) as being unpatentable over the B-E-H Inc. '330 patent in view of U.S. Patent No. 5,056,564 to Roth (hereinafter referred to as "the Roth '564 patent"), rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over the B-E-H Inc. '330 patent in view of the Blau et al. '016 patent and rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over the B-E-H Inc. '330 patent in view of U.S. Patent No. 5,457,136 to Hartranft et al. (hereinafter referred to as "the Hartranft et al. '136 patent").

Response

Claims 3, 5, 11, and 17 depend upon amended claims and, as amended, the rejections thereto are respectfully traversed. The rejection of claim 4 has been discussed above; claim 4 has been cancelled and therefore the rejection is no longer applicable.

As discussed above, Applicants respectfully submit that independent claims 1 and 9 are patentable over the cited prior art, an indication of which is kindly requested. Applicants respectfully submit that the teachings of the B-E-H Inc. '330 patent and the Blau et al. '016 patent, when considered, do not disclose the features of independent claims 1 and 9. Dependent claims 3 and 5 depend from independent claim 1 and dependent claims 11 and 17 depend from independent claim 9. Accordingly, Applicants submit that dependent claims 3, 5, 11 and 17 are patentable at least by virtue of their dependency.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

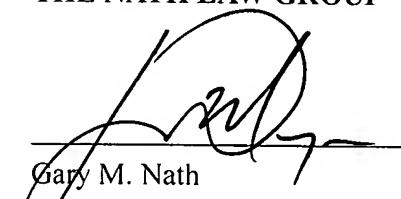
CONCLUSION

In light of the foregoing, Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner call the undersigned attorney(s).

Respectfully submitted,
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